

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM D. TURNER,

Plaintiff,

vs.

***FILED ELECTRONICALLY***

CIV. ACTION NO. 4:18-cv-00361

JOHN E. WETZEL, SECRETARY OF  
CORRECTIONS; CORRECTION  
CARE SOLUTION, CARL KELDIE,  
JOSEP SILVA (DEPARTMENT OF  
CORRECTIONS HEALTH CARE  
SERVICE DIRECTOR), DR. PAUL  
NOAL, DR. JAY COWAN, THE  
DOC'S HEPATITIS C COMMITTEE,  
SCI FRACKVILLE'S MA KUREN,  
VISOR MS. KURAS, CHDA MS.  
HOLLY and SHARON SELBI; RN any  
and all individuals or entities  
responsible for my HEALTH CARE  
and/or DOC MEDICAL POLICIES,

Defendants.

**RESPONSE TO PLAINTIFF'S MOTION TO COMPEL**

On April 12, 2018, Plaintiff, William Turner, filed a Motion to Compel and Brief in Support of same wherein he moves the Court to compel the Defendants to “produce for inspection and copying the documents requested on March 2, 2018.” ECF No. 12, p. 1. Within his Brief in Support, Mr. Turner contends that on March 2, 2018 he “filed a revise[d] request for production of the documents...because Counsel.; for the Defendants, who stated he couldn’t understand what was ask for.”

ECF No. 13, pp. 1-2. Mr. Turner further contends that the requested discovery is relevant to the subject matter of the lawsuit and attaches, as Exhibit “A,” a document entitled “Revise. First Set of Interrogatories.” See generally ECF No. 13.

First and foremost, to date, the undersigned counsel has not been served with any discovery requests by Mr. Turner. That alone warrants a denial of Mr. Turner’s instant Motion. Second, the allegations contained in Mr. Turner’s Motion and Brief are unclear. It is unclear whether Mr. Turner contends that he sent discovery requests to the undersigned counsel, to counsel for the Commonwealth Defendants, or to both, and whether Mr. Turner is requesting answers to interrogatories or responses to requests for production of documents, both of which are referenced within his Motion to Compel and Brief in Support. Finally, discovery at this juncture is premature inasmuch as Defendants, Correct Care Solutions, LLC, Dr. Carl Keldie and Dr. Jay Cowan, have sought dismissal of Plaintiff’s Complaint.<sup>1</sup>

Accordingly, Defendants, Correct Care Solutions, LLC, Dr. Carl Keldie and Dr. Jay Cowan, respectfully request that Plaintiff’s Motion to Compel be denied.

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<sup>1</sup> Moving Defendants are simultaneously submitting a Motion to Stay Discovery.

WEBER GALLAGHER SIMPSON STAPLETON  
FIRES & NEWBY LLP

BY: /s/ Meghan K. Adkins  
Meghan K. Adkins, Esquire  
madkins@wglaw.com  
PA ID No. 320908

/s/ Samuel H. Foreman  
Samuel H. Foreman, Esquire  
sforeman@wglaw.com  
PA ID No. 77096

WEBER GALLAGHER SIMPSON  
STAPLETON FIRES & NEWBY, LLP  
Four PPG Place  
5th Floor  
Pittsburgh, PA 15222  
(412) 281-4541  
(412) 281-4547 FAX

Dated: April 30, 2018

**CERTIFICATE OF SERVICE**

I, Meghan K. Adkins, Esquire, hereby certify that on this date a true and correct copy of the foregoing **Response to Plaintiff's Motion to Compel** was sent to all counsel of record *via* CM/ECF and by first class United States mail, postage prepaid, to the following:

William D. Turner, AM5992  
SCI-Frackville  
1111 Altamount Blvd  
Frackville, PA 17932

/s/ Meghan K. Adkins  
Meghan K. Adkins, Esquire

Dated: April 30, 2018